CONFERENCE ON DISARMAMENT

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FINAL RECORD OF THE EIGHT HUNDRED AND EIGHTY-FOURTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 28 August 2001, at 10.15 a.m.

President: Mr. Roberto Betancourt Ruales (Ecuador)

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The PRESIDENT (translated from Spanish): I declare open the 884th plenary meeting of the Conference on Disarmament.

I have one speaker on my list for today, Ambassador Prasad Kariyawasam of Sri Lanka, Special Coordinator on the Improved and Effective Functioning of the Conference, who wishes to report to us on his consultations on this issue.

I give the floor to Ambassador Prasad Kariyawasam, Special Coordinator on the Improved and Effective Functioning of the Conference.

Mr. KARIYAWASAM (Sri Lanka): Mr. President, since this is the first time I am taking the floor during your presidency, allow me at the outset to congratulate you on your assumption of this high office and please be assured of the full cooperation of my delegation in fulfilling your responsibilities. I also would like to express my appreciation to your predecessor, Ambassador Carlos Amat Forés of Cuba, for his efficient and professional conduct as the President of the Conference, characteristic of all Cuban diplomats.

At its 877th meeting, on 14 June 2001, the Conference on Disarmament decided to appoint, among others, a special coordinator on the improved and effective functioning of the Conference on Disarmament, as a result of sustained efforts on the part of the then President, Ambassador Camilo Reyes Rodriguez of Colombia. Pursuant to this decision, I was appointed and was mandated to take into account all proposals and views, as well as future initiatives, in discharging my work. The Conference also requested the special coordinator to report to it before the conclusion of its 2001 session. I wish to take this opportunity to thank my group, the Group of 21, as well as all members of the Conference, for the trust placed in me by assigning me this onerous task.

The decision to appoint a special coordinator on the improved and effective functioning of the Conference is, I believe, evidence that the membership of the Conference on Disarmament agrees in principle that there is a need and a desire to adopt measures for the further improvement of the functioning of the Conference. Yet, even though we all agreed on the need for reform, it seems that firm decisions on any issue continue to elude us. The reasons for this impasse are apparent and have been referred to by some of the speakers who have chosen to take the floor in this forum. Some have also emphasized that work on procedure should not be construed as an alternative to work on substance. Many believe that the inability of this Conference to conduct substantive work is not a procedural matter, but rather a substantive political issue. As a result, the link between substance and procedure has also come under sharper scrutiny. Many also believe, however, that at these difficult times for the Conference we could innovate or streamline our procedures so as to promote a semblance of substantive work that can at least be useful and hopefully engender full-fledged substantive negotiations on agreed issues, sooner rather than later.

(Mr. Kariyawasam, Sri Lanka)

During the short period of time available, I have made all efforts to do justice to the mandate given to me. Since 1990 several of my predecessors have worked on this subject, in particular, Ambassador Kamal of Pakistan, Ambassador Zahran of Egypt and Ambassador Illanes of Chile. I have drawn from their work for precedence and for direction. I have also learned from views expressed informally by several delegations and by some in writing. To achieve greater transparency in my work, I conducted two rounds of informal open-ended consultations. I was encouraged by the level of attendance and the number of delegations who participated in these consultations. While many delegations took the floor and expressed their views, a number of delegations did not offer views on any issue or only on some. I believe that this reluctance was either by choice or perhaps by default. Either way, the omnipresence of the rule of consensus means that my conclusions in this report are of an ad referendum nature.

Mr. President, in the consultations, I provided an indicative list of issues for discussion with a view to directing the work in a useful manner. These items were not exhaustive and I welcomed new proposals from delegations for further deliberation. At the conclusion of my consultations, it was evident that it would not be possible to take any decisions at this session on any of the issues. There are a few issues, however, on which there seemed to be a greater degree of understanding and agreement.

Permit me now to comment on specific issues that were considered during discussions. These in my view fall into two broad categories. The first group of issues, to my mind, seems to enjoy a general level of agreement among delegations. The other set of issues requires much more work if a higher level of understanding among delegates is to be attained.

Issues that enjoy a level of general agreement are the following:

First, the Conference has not made optimal use of mechanisms provided for in the rules of procedure. According to some, several rules are either misinterpreted or simply ignored. Many were of the opinion that such rules are outdated and require updating to remove ambiguities. In this regard, CD/1036, which was adopted in August 1990, came under scrutiny and discussion. There was a proposal, supported by many, to amend paragraph 5 (d) of CD/1036 to make it less ambiguous. The section of CD/1036 which deals with appointing special coordinators in the event of absence of consensus on the establishment of subsidiary bodies or their mandates in the first two weeks after the beginning of the annual session of the Conference merits further consideration. I strongly recommend that we work on this issue with a view to adopting a decision early in the next session. Paragraphs 5 (c) and 7 of CD/1036 were also viewed by some as meriting revival.

Second, wider and more frequent use should be made of informal and open-ended consultations. Some were of the view that the Conference has not used the plenary to full advantage and therefore the President should convene open-ended informal consultations on substantive issues to prepare the ground for the commencement of negotiations.

(Mr. Kariyawasam, Sri Lanka)

Third, the appointment of "friends of the President". General agreement on this measure, however, was qualified by a clear distinction between "friends of the President" and "special coordinators", and it was emphasized that the term of office of "friends" should be coterminous with that of the President who appoints such "friends".

Fourth, the involvement of civil society in some form. There were many different views and perceptions as to how non-governmental organization participation could be operationalized. The apparent absence of any objection to the involvement of non-governmental organizations in the Conference's work may not therefore be construed as a ready acceptance of the unqualified participation of such organizations in the Conference on Disarmament.

Fifth, the role of the secretariat. No delegation expressed any misgivings pertaining to the role of the secretariat.

Sixth, the expansion of the membership of the Conference. While no delegation expressed any views against expansion, there were divergent views as to how such an expansion should take place. This issue was considered fleetingly in the context of its link with the effective functioning of the Conference on Disarmament, and my fellow Special Coordinator has conducted further work on this specific issue.

Mr. President, there are several other key issues which require further substantive discussions with a view to arriving at even a general level of understanding. They are:

First and most important, the rule of consensus. This was by far the most keenly scrutinized as well as the most contentious issue during the discussion. Some delegations believed that the rule of consensus as applied in the Conference on Disarmament - the requirement for unanimity on all issues - is the bane of the Conference. They strongly assert that the consensus rule in the Conference on Disarmament should be qualified. At the same time, a number of other representatives were of the opinion that there was no need for any change in the present rule of consensus, given the nature of the work of the Conference and the apparent flexibility which the rule offers to safeguard national interests.

Second, the question of whether to adopt the Conference's agenda and the programme of work annually or otherwise. This was discussed in the context of my mandate, even though the issue was handled by my fellow Special Coordinator. There was no apparent agreement on changing the present status of this issue on its own or in connection with any other issue related to effective functioning.

Third, the efficacy of the present system of groupings. For some, the current system was working well, while there were others who strongly felt that the current group system should be more flexible and informal. There was a desire among some to create "like-minded groups" on the basis of common interests, cutting across the present group system.

(Mr. Kariyawasam, Sri Lanka)

Fourth, the establishment of a new category of committees. While some kept an open mind on creating a new category of committees for substantive discussions on agenda items, others felt that it would lead to a proliferation of mechanisms devoid of any possibility of substantive progress and that such a measure would only impair the efficiency of the Conference.

Fifth, the continuation of the work of pre-existing subsidiary bodies. Many believed that once a subsidiary body was established, it should continue from year to year until such a body completed its mandate or until it became obvious that negotiations could not lead to a successful conclusion. Nevertheless, there were some who felt that the continuation of a subsidiary body beyond a session was illogical since the agenda and the programme of work were required to be adopted first, every year.

Sixth, automatic establishment of ad hoc committees on all agenda items. Many delegations were of the opinion that the automatic establishment of ad hoc committees on all agenda items might prove to be difficult since the Conference might not be ready to engage in substantive work on certain items.

Seventh, the tenure of the Presidency. This was a subject of lively discussion. Some strongly supported a change in the present system of rotation, with several specific ideas as to how to adopt a new system. Nevertheless, there were contrary views that the current system is fair and a necessary means of keeping delegations engaged in the work of the Conference.

Eighth, the annual report. While some supported the idea of having a summary of main issues, themes and initiatives made through plenary statements as part of the report, others were of the view that it was simply a duplication of procedure since verbatim records of the Conference on Disarmament were available.

Ninth, a small group to study the subject of improved and effective functioning of the Conference. While some welcomed this idea, several others believed that this matter was better handled by a special coordinator dealing with the subject, where transparency and wider participation in the work was ensured.

Tenth, the establishment of a bureau of the Conference comprising the President, the Secretary-General and representatives of member States and groups. On this proposal, there were doubts expressed by some as to the need or the efficacy of such a bureau and they expressed misgivings that the establishment of a bureau would be tantamount to the institutionalization of the present process of presidential consultations.

Mr. President, as I mentioned earlier, the reflection of the current geo-political climate in the Conference on Disarmament, as well as time constraints, did not permit us to agree on any specific procedures for the Conference's improved and effective functioning. There was, however, an apparent overwhelming desire to continue with the work of the special coordinators

(Mr. Kariyawasam, Sri Lanka)

on these issues again next year. In this regard, I lend my strong support for the appointment of three new special coordinators early next year so that they will have sufficient space to work towards decisions and conclusions on some of the issues which enjoy a level of general agreement.

May I also take this opportunity to say good-bye to both my fellow special coordinators, Ambassador Petko Draganov of Bulgaria has already left us, having been assigned higher responsibilities. Ambassador Günther Seibert of Germany will leave us shortly on completion of his tour of duty. The Conference, and I personally, will miss the experience and excellent professionalism of these two friendly diplomats, and I wish them all the very best in their future endeavours.

Last, but not least, Mr. Vladimir Petrovsky, Secretary-General of the Conference, deserves a special word of thanks for his steady support for my endeavours on this matter. He was present at all times during informal consultations, listening attentively to the views of delegations. He encouraged us to move forward. I wish to thank him and Mr. Román-Morey, the Deputy Secretary-General, Mr. Jerzy Zaleski and the secretariat staff, as well as the interpreters, for the ready support they provided during my tenure as Special coordinator.

The PRESIDENT (translated from Spanish): I thank the Special Coordinator on the Improved and Effective Functioning of the Conference for his statement and the kind words addressed to the Chair.

Are there any other delegations wishing to take the floor at this stage?

I would like to recall that the draft report will be available in all official languages in the delegations' pigeon-holes on Thursday, 30 August 2001. It is my intention to proceed to the first reading of the draft report at an informal meeting following the plenary meeting on Tuesday, 4 September 2001.

That concludes our business for today. The next plenary meeting of the Conference will be held on Tuesday, 30 April 2002, at 10 a.m.

The meeting rose at 10.35 a.m.